

1 THE HONORABLE BARBARA J. ROTHSTEIN

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5
6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

7
8 RICHARD HALPERN on behalf of himself and all
9 others similarly situated,

10 Plaintiff,

11 v.

12 T-MOBILE USA, INC.,

13 Defendant.

No. 2:21-cv-01226-BJR

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**STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS PENDING
THE JPML'S RULING ON TRANSFER**

STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS
(No. 2:21-cv-01226-BJR) - 1

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1 Pursuant to Western District of Washington Local Rules 7(d)(1) and 10(g), Plaintiff
2 Richard Halpern and Defendant T-Mobile USA, Inc. (together, “the Parties”), hereby stipulate to
3 stay all proceedings and deadlines in this action until the Judicial Panel on Multidistrict Litigation
4 (“JPML”) rules on the pending motion to transfer under 28 U.S.C. § 1407 (“MDL Petition”). *See*
5 *In re: T-Mobile Customer Data Sec. Breach Litig*, MDL No. 3019 (ECF No. 1). In support of this
6 stipulated motion, the Parties state:

7 Good cause exists for a brief stay as it will conserve judicial and party resources. In a
8 related case, this Court recently granted T-Mobile’s motion to stay proceedings pending the
9 JPML’s ruling on the MDL Petition, finding:

10 Any delay arising from a stay is likely to be short, and Plaintiffs
11 have not demonstrated that any significant prejudice would result
12 from a short stay. A stay is also likely to conserve judicial resources,
13 as well as the parties’ resources, until the JPML decides whether
(and if so, where) to transfer the dozens of similar cases for
coordinated or consolidated pretrial proceedings.

14 *Daruwalla v. T-Mobile USA, Inc.*, No. 2:21-cv-1118-BJR (W.D. Wash. Oct. 29, 2021) (ECF No.
15 39).¹ The Parties therefore respectfully request that the Court enter a short stay of all proceedings
16 here until the JPML rules on the MDL Petition.

17 Dated: November 16, 2021

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22 ¹ *See also Harper v. T-Mobile US, Inc.*, No. 2:21-cv-1169-BJR (W.D. Wash. Nov. 5, 2021) (ECF
23 No. 26) (granting stay over opposition on same grounds); *Simaan v. T-Mobile USA, Inc.*, No. 2:21-
24 cv-1181-BJR (W.D. Wash. Nov. 5, 2021) (ECF No. 21) (same); *Thang v. T-Mobile US, Inc.*, No.
5:21-cv-6473-BLF (N.D. Cal. Oct. 29, 2021) (ECF No. 42) (same).

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1 **ORDER**

2 IT IS SO ORDERED.

3 Dated this 17th day of November 2021.

4 s/Barbara J. Rothstein
5 Barbara J. Rothstein
6 U.S. District Court Judge

7 Presented by:

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